

HOUSE BILL 1249
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10; Title 3 and Title 12, relative to the disclosure of fees or compensation for certain consulting services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following new sections:

Section 2-10-121.

(a) If any person or other entity that does business with the state of Tennessee in any capacity, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, pays a fee, commission or any other form of compensation to an official in the legislative branch, an official in the executive branch or the immediate family of either type of official, as these terms are defined in §3-6-102, for consulting services, such person or entity, or subsidiary or contractor of such person or entity shall disclose the following to the registry of election finance:

- (1) The person to whom the fee was paid;
- (2) The position of the person to whom the fee was paid;
- (3) The amount of the fee;

(4) The date the services were rendered; and

(5) A description of the services rendered.

(b) The disclosure shall be on a form designed by the registry of election finance, shall be made under oath, and shall contain a statement that a false statement on the report is subject to the penalties of perjury. A disclosure form shall be filed each time compensation for consulting services is paid to one of the officials named in subsection (a). The person or entity, or subsidiary or contractor of such person or entity, paying the consulting fee shall have thirty (30) days from the date such fee is paid to file a disclosure form as required by this section.

(c) All disclosures made to the registry pursuant to this section are public records and open for inspection during regular business hours.

(d)

(1) It is a Class A misdemeanor for any person or entity, or subsidiary or contractor of such person or entity, to knowingly fail to file a disclosure form as required by this section.

(2) It is a Class C misdemeanor for any person or entity, or subsidiary or contractor of such person or entity, to file a disclosure form as required by this section more than thirty (30) days after the date on which a consulting fee for which disclosure is required is paid.

Section 2-10-122.

(a) Any member of the general assembly or member elect of the general assembly who receives a fee, commission or any other form of compensation for consulting services from a person or entity doing business with the state, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, shall be required to make the same disclosure required by § 2-10-121. The registry of election finance may

devise a new form for disclosure of consulting fees by members of the general assembly or members elect of the general assembly or may modify the one required by § 2-10-121 for use by all parties required to disclose.

(b) All disclosures made to the registry pursuant to this section are public records and open for inspection during regular business hours.

(c) It is a Class A misdemeanor for a member of the general assembly or member elect of the general assembly to receive a fee, commission or any other form of compensation for consulting services from a person or entity doing business with the state, a subsidiary of such person or entity, an entity that contracts with such person or entity or an entity that contracts with an entity that contracts with such person or entity, and knowingly fail to disclose such fee as required by this section.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.